

**UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF NEW YORK**

UNITED STATES OF AMERICA, )  
 ) Case No. 1:15-CR-00033-3  
 ) (RJA) (HBS)  
Plaintiff, )  
 )  
vs. ) September 22nd, 2022  
 ) 2:18 p.m.  
RODERICK ARRINGTON, )  
 )  
Defendant. )

**TRANSCRIPT OF JURY TRIAL TESTIMONY OF HENRY LLOYD  
BEFORE THE HONORABLE RICHARD J. ARCARA  
SENIOR UNITED STATES DISTRICT JUDGE**

APPEARANCES:

For the Plaintiff: TRINI E. ROSS, ESQ.  
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ORGANIZED CRIME SECTION  
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Robert H. Jackson US Courthouse  
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Buffalo, NY 14202  
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02:18PM 1 (The jury entered the room at 2:18 p.m.)

02:18PM 2 THE CLERK: All rise. You may be seated.

02:20PM 3 (The witness was sworn at 2:20 p.m.)

02:20PM 4 THE CLERK: Please state your name and spell it for  
02:20PM 5 the record.

02:20PM 6 THE WITNESS: Henry Lloyd, H-E-N-R-Y, L-L-O-Y-D.

02:21PM 7 THE COURT: All right.

02:21PM 8 MR. LENIHAN: Thank you, Your Honor.

02:21PM 9

02:21PM 10 DIRECT EXAMINATION

02:21PM 11

02:21PM 12 BY MR. LENIHAN:

02:21PM 13 Q. Good afternoon.

02:21PM 14 A. Good afternoon.

02:21PM 15 Q. Mr. Lloyd, where did you grow up?

02:21PM 16 A. Warring Avenue around Bailey and Genesee area.

02:21PM 17 Q. In Buffalo, New York?

02:21PM 18 A. Yes.

02:21PM 19 Q. Where did you live through your childhood?

02:21PM 20 A. Warring Avenue.

02:21PM 21 Q. And you continued to live there in your teenage years?

02:21PM 22 A. We're moved to Riverside area. That's the West Side of  
02:21PM 23 Buffalo.

02:21PM 24 Q. So, born and raised in Buffalo?

02:21PM 25 A. Yes.

02:21PM 1 Q. Where did you go to school?

02:21PM 2 A. Poplar Academy, School 1, and Seneca high school.

02:21PM 3 Q. How old are you now?

02:21PM 4 A. I'm 36.

02:21PM 5 Q. Did there come a time when you got involved in dealing

02:21PM 6 drugs?

02:21PM 7 A. Yes.

02:21PM 8 Q. When did that occur?

02:22PM 9 A. When I was 14 years old.

02:22PM 10 Q. Could you tell the jury how you got involved in dealing

02:22PM 11 drugs?

02:22PM 12 A. Grew up in a rough neighborhood. My family didn't have

02:22PM 13 too much. It was hard, struggling, so I decided to sell

02:22PM 14 drugs.

02:22PM 15 Q. What did you first start selling?

02:22PM 16 A. Weed. Started selling weed.

02:22PM 17 Q. Did you move on to selling any other drugs?

02:22PM 18 A. Crack. Crack cocaine.

02:22PM 19 Q. Can you just put your microphone down a little bit? Were

02:22PM 20 you successful in dealing drugs?

02:22PM 21 A. Yes.

02:22PM 22 Q. Can you tell the jury the type of success you had?

02:22PM 23 A. I started selling small amounts like dime rocks, 20

02:22PM 24 rocks. And then, within a short period of time, by the time

02:22PM 25 I was 18 years old, I was dealing kilograms of cocaine.

02:22PM 1 Q. Who were you dealing kilograms of cocaine with?

02:22PM 2 A. Tyrone Pennick.

02:22PM 3 Q. Approximately what year is this in -- when you were 18?

02:23PM 4 A. 2005.

02:23PM 5 Q. Did you eventually get arrested by federal authorities?

02:23PM 6 A. Yes.

02:23PM 7 Q. When did that occur?

02:23PM 8 A. 2005.

02:23PM 9 Q. So, from 2000 to 2005, were you selling drugs in the

02:23PM 10 greater Buffalo area?

02:23PM 11 A. Yes.

02:23PM 12 Q. You mentioned about a 10 rock and a 20 rock. What is

02:23PM 13 that?

02:23PM 14 A. A 10 rock is \$10. A 20 rock is \$20.

02:23PM 15 Q. When you were dealing drugs back in 2000 and 2005, was

02:23PM 16 drug dealing dangerous?

02:23PM 17 A. Yes, it was.

02:23PM 18 Q. Can you describe how it was dangerous?

02:23PM 19 A. By that time, I like I said, I started selling drugs when

02:23PM 20 I was 14. By the time I was 18, I was robbed by gunpoint two

02:23PM 21 times; once when I was 17 and then another time when I was

02:23PM 22 18. They broke in my house, me and my girlfriend, tied us

02:23PM 23 up, and home invasion, and took a lot of money, and a lot of

02:24PM 24 drugs. They threatened to kill us.

02:24PM 25 Q. Did you carry any weapons while you were dealing drugs?

02:24PM 1 A. Yes.

02:24PM 2 Q. What kind of weapons would you carry?

02:24PM 3 A. I liked a 45, so I always kept a 45.

02:24PM 4 Q. And what happened after you got arrested in 2005?

02:24PM 5 A. I continued to sell drugs.

02:24PM 6 Q. And were you doing that low-level drug dealing or were

02:24PM 7 you up more higher level?

02:24PM 8 A. I continued to grow into a higher level.

02:24PM 9 Q. When you were dealing drugs in the 2005, did you ever

02:24PM 10 hear of the Schuele Boys?

02:24PM 11 A. Yes.

02:24PM 12 Q. And did you know any of the Schuele Boys?

02:24PM 13 A. I knew of Marcel Worthy. I knew of him. I knew of Aaron

02:24PM 14 Hicks. I went to school with him. Seneca.

02:24PM 15 Q. You went to school with Aaron Hicks?

02:24PM 16 A. High school. Yes.

02:24PM 17 Q. And do you know his nickname?

02:24PM 18 A. Boogs.

02:25PM 19 Q. Did you personally know Marcel Worthy back then?

02:25PM 20 A. No. I just heard of him.

02:25PM 21 Q. Do you know what his nickname was?

02:25PM 22 A. Cheese.

02:25PM 23 Q. How about a guy by the name of Letorrance Travis?

02:25PM 24 A. Yes. He was always a good friend of mines.

02:25PM 25 Q. How did you know Letorrance Travis?

02:25PM 1 A. Through the neighborhood. He -- I met him when I was 16  
02:25PM 2 at the mall. He was working at Foot Locker. And by that  
02:25PM 3 time, I had made a name for myself, and I was selling a lot  
02:25PM 4 of drugs, nice cars, flashy, and he was working at Foot  
02:25PM 5 Locker. And I used to come out and I'd -- Jordans would come  
02:25PM 6 out. I would buy myself, the friends and family the Jordans  
02:25PM 7 and he thought that was kind of amazing, to him, seeing me in  
02:25PM 8 the neighborhood driving nice cars, and going to the mall on  
02:25PM 9 Saturday, and I buy everybody a pair of Jordans.

02:26PM 10 Q. The Jordans, so everyone is aware, are sneakers?

02:26PM 11 A. Yes. And that made Letorrance Travis talk to me more.  
02:26PM 12 And every time he seen me in the mall, we'd talk, and we just  
02:26PM 13 became cool. We became friends.

02:26PM 14 Q. Did you know Torrance's brother?

02:26PM 15 A. Yes, Torry.

02:26PM 16 Q. And how about in the 2000's, early 2000's to mid 2000's,  
02:26PM 17 did you know anyone else as a member of the Schuele Boys?

02:26PM 18 A. I didn't know nobody else, but I heard of Rah Rah.

02:26PM 19 Q. What did you hear about Rah Rah?

02:26PM 20 A. That he was a stick-up kid, and he robbed people, and he  
02:26PM 21 shoot people.

02:26PM 22 Q. And you see Rah Rah here in court today?

02:26PM 23 A. Yes, I do.

02:26PM 24 Q. Can you describe what he's wearing?

02:26PM 25 A. Brown skin with the black shirt on at the defense table.

02:26PM 1 MR. LENIHAN: Identified the defendant, Your Honor.

02:27PM 2 MR. ARRINGTON: Objection, Your Honor.

02:27PM 3 THE COURT: You have seen Mr. Arrington before?

02:27PM 4 THE WITNESS: Did I see him before? Yes.

02:27PM 5 THE COURT: All right.

02:27PM 6 MR. ARRINGTON: Objection, Your Honor. Speculation.

02:27PM 7 THE COURT: You'll be able to cross-examine him.

02:27PM 8 MR. ARRINGTON: I don't know this man from a can of

02:27PM 9 paint.

02:27PM 10 THE COURT: The jury will disregard that last

02:27PM 11 statement by Mr. Arrington. That's not evidence. Evidence

02:27PM 12 will come from the witness stand, ladies and gentlemen, and

02:27PM 13 the evidence that's been received and the demonstrative

02:27PM 14 evidence and things that have been admitted into evidence.

02:27PM 15 That's where the evidence comes from. You may continue.

02:27PM 16 Overruled.

02:28PM 17 MR. LENIHAN: Thank you, Your Honor.

02:28PM 18 BY MR. LENIHAN:

02:28PM 19 Q. You were dealing drugs. Do you know if the Schuele Boys

02:28PM 20 were dealing drugs in the early 2000's to mid 2000's?

02:28PM 21 A. Around the time I was hearing about Rah Rah, the Schuele

02:28PM 22 Boys that I knew, I didn't know they were selling drugs at

02:28PM 23 that time in the early 2000's, no.

02:28PM 24 Q. How about mid 2000's?

02:28PM 25 A. Around -- I want to say about 2007, 2008 is when I start

02:28PM 1 hearing about Boogs and Cheese and Letorrance selling drugs.

02:28PM 2 Q. And where were you in the greater Buffalo area as far as

02:28PM 3 on the drug dealing scale?

02:28PM 4 A. A very high scale.

02:28PM 5 Q. Were the Schuele Boys at that level?

02:28PM 6 A. No, not yet.

02:28PM 7 Q. Did they get there?

02:28PM 8 A. Yes.

02:28PM 9 Q. And do you have knowledge as to how they got there?

02:28PM 10 A. Through a connection that Boog met in college.

02:28PM 11 Q. Now, you are wearing prison garb right now?

02:29PM 12 A. Yes.

02:29PM 13 Q. Were you convicted of a narcotics conspiracy in 2020?

02:29PM 14 A. Yes, I was.

02:29PM 15 Q. Are you pending sentencing?

02:29PM 16 A. Yes.

02:29PM 17 Q. Where are you currently being housed while you are

02:29PM 18 pending sentencing?

02:29PM 19 A. Cattaraugus County Jail.

02:29PM 20 Q. How long have you been there for?

02:29PM 21 A. A little over two years.

02:29PM 22 Q. And as far as what you are -- what are you facing as a

02:29PM 23 sentence?

02:29PM 24 A. Ten years.

02:29PM 25 Q. And that's a mandatory minimum?



02:29PM 1 A. Yes.

02:29PM 2 Q. The person you identified as Rah Rah, have you met him?

02:29PM 3 A. Yes.

02:29PM 4 Q. Where did you meet him?

02:29PM 5 A. Niagara County Jail.

02:29PM 6 Q. Where did you meet him?

02:29PM 7 A. 2017. September.

02:29PM 8 Q. Did you know him prior to meeting him? Had you met him

02:29PM 9 prior to September 2017?

02:29PM 10 A. No, sir.

02:29PM 11 Q. And were you -- can you describe the relationship you had

02:30PM 12 with Mr. Arrington in the beginning of September of 2017?

02:30PM 13 A. I mean, I got to the jail. There was individuals I knew

02:30PM 14 there that was coming to me with my statements that I had

02:30PM 15 cooperated with the government. And they said they was

02:30PM 16 getting them from Arrington, Mr. Arrington over there. So, I

02:30PM 17 approached him, and we had words. And he told me these

02:30PM 18 statements is all over the jail. I'm not the one passing

02:30PM 19 them out. I'm not the one handing them around. I got a copy

02:30PM 20 just like everybody else got a copy. We had some more words

02:30PM 21 and then we never talked again in 2017. Never talk.

02:30PM 22 And some time later on, when we talked again in, like,

02:30PM 23 2017, he was leaving the facility in December of 2017. And he

02:30PM 24 came up to me and he apologized to me about the paperwork

02:31PM 25 being passed around or him showing people the paperwork with

02:31PM 1 my name on it for me cooperating and testifying in the  
02:31PM 2 previous trial.

02:31PM 3 Q. Can you describe to the jury what you mean by paperwork  
02:31PM 4 being handed around the jail?

02:31PM 5 A. It's documentation with my statements that I made through  
02:31PM 6 the proffer sessions with the FBI and DEA and the agents of  
02:31PM 7 the task force.

02:31PM 8 Q. And what's the problem with those statements being passed  
02:31PM 9 around the jail?

02:31PM 10 A. It expose you as a government witness or informant. It's  
02:31PM 11 letting everybody know that you work or cooperated with the  
02:31PM 12 federal government.

02:31PM 13 Q. And did you previously testify in another matter?

02:31PM 14 A. Yes, in two matters.

02:31PM 15 Q. Did that have anything to do with what you are here today  
02:31PM 16 for?

02:31PM 17 A. No.

02:31PM 18 Q. And then after you cooperated with the government, you  
02:31PM 19 committed that narcotics conspiracy?

02:31PM 20 A. Yes.

02:31PM 21 Q. That you were convicted for in 2020?

02:32PM 22 A. Yes.

02:32PM 23 Q. So, after 2017, when is the next time you saw  
02:32PM 24 Mr. Arrington?

02:32PM 25 A. March 2021.

02:32PM 1 Q. Where was that at?

02:32PM 2 A. It was in Cattaraugus County Jail on J. Dorm.

02:32PM 3 Q. And describe the interactions that you first had with

02:32PM 4 Mr. Arrington in March of 2021.

02:32PM 5 A. The first time, in March 2021, he moved over to J. Dorm.

02:32PM 6 He came up to my bunk. He gave me the palm, asked me how I

02:32PM 7 was doing. I asked him how he was doing. He went on about

02:32PM 8 his business, start talking to other inmates and things like

02:32PM 9 that. And then, we just all on the dorm just became close,

02:32PM 10 all of us; me, him, other inmates; talking, cooking, watching

02:32PM 11 the games, watching movies, shows, TV shows. We became cool.

02:33PM 12 And he also came and came up to me again and wanted me to

02:33PM 13 know that he apologized for having -- passing my statements

02:33PM 14 around or having any involvement with my statements.

02:33PM 15 Q. That was back in 2017?

02:33PM 16 A. Yeah. That's what's the statements from, 2017.

02:33PM 17 Q. So, when you first started hanging around with

02:33PM 18 Mr. Arrington in March of 2021 in the J. Dorm, was he

02:33PM 19 discussing his case at all?

02:33PM 20 A. Yes. Every day. He let us know that he became his own

02:33PM 21 attorney for his case. He was representing his self. So, he

02:33PM 22 would talk about motions he was filing and things that he was

02:33PM 23 doing as far as his motions he was filing to the Court.

02:33PM 24 Q. And did he lean on you at all with any motions?

02:33PM 25 A. Yes. Later in 2021, he wanted to file a Speedy Trial

02:34PM 1 motion and due process motion.

02:34PM 2 Q. Did you help him with that?

02:34PM 3 A. Yes. I gave him the format, case law, and language for  
02:34PM 4 his motion.

02:34PM 5 Q. And what's your -- how would you say you are with the  
02:34PM 6 law?

02:34PM 7 A. I guess from being in trouble so many times, I study case  
02:34PM 8 law. I guess I'm good at it, I guess, knowing the law a  
02:34PM 9 little bit.

02:34PM 10 Q. And so, can you tell the jury what case law is and how  
02:34PM 11 you start learning about case law?

02:34PM 12 MR. ARRINGTON: Objection. Relevance, Your Honor.

02:34PM 13 THE COURT: Sustained.

02:34PM 14 BY MR. LENIHAN:

02:34PM 15 Q. So, then you help him with motions?

02:34PM 16 A. Yes. I helped him with language to put in a motion, case  
02:34PM 17 law to put in a motion, and the formats that set the motion  
02:35PM 18 up from Speedy Trial --

02:35PM 19 MR. ARRINGTON: Objection, Your Honor.

02:35PM 20 THE WITNESS: -- and due process.

02:35PM 21 THE COURT: Overruled.

02:35PM 22 THE WITNESS: From --

02:35PM 23 THE COURT: Next question.

02:35PM 24 MR. LENIHAN: Okay.

02:35PM 25 BY MR. LENIHAN:

02:35PM 1 Q. And when were you helping him? At what timeframe are we  
02:35PM 2 talking about now?

02:35PM 3 MR. ARRINGTON: Objection, Your Honor.

02:35PM 4 THE COURT: Overruled.

02:35PM 5 THE WITNESS: October 2021.

02:35PM 6 BY MR. LENIHAN:

02:35PM 7 Q. And during this time, is Mr. Arrington giving you  
02:35PM 8 specifics about facts of his case?

02:35PM 9 A. No.

02:35PM 10 Q. Do you continue to hang out with Mr. Arrington after  
02:35PM 11 October of 2021?

02:35PM 12 A. Yes. When I helped him with the motion, he told me how  
02:35PM 13 appreciative he was of helping him out. And he told me that  
02:35PM 14 I had a friend forever, and he respect me, and just know that  
02:36PM 15 you always -- I'm loyal, and you always going to have a good  
02:36PM 16 friend for helping me out with this motion. He said I was a  
02:36PM 17 smart person and he come to like me. Getting to know me, he  
02:36PM 18 came to like me.

02:36PM 19 Q. Without getting into why, did there become a time in  
02:36PM 20 October of 2021 where Mr. Arrington was taken away from J.  
02:36PM 21 Dorm?

02:36PM 22 A. Yes. About the end of October, beginning of November,  
02:36PM 23 somewhere roughly around there, yes. He was moved to a  
02:36PM 24 different part of the jail.

02:36PM 25 Q. Did he ever come back to the J. Dorm?

02:36PM 1 A. Yes.

02:36PM 2 Q. When was that?

02:36PM 3 A. Again in March 2022.

02:36PM 4 Q. Are you -- in March of 2022, are you having conversations

02:36PM 5 with Mr. Arrington?

02:36PM 6 A. Yes.

02:36PM 7 Q. With what frequency?

02:36PM 8 A. Immediately he came over there. We talked. He wanted to

02:36PM 9 file a motion for release on due process issues as well. I

02:37PM 10 helped him with that, gave him case law, gave him the format,

02:37PM 11 told him what he should argue, he should put in his motions

02:37PM 12 and we went from there. And every from that point on, every

02:37PM 13 day we became close talking, talking, cooking, and just

02:37PM 14 becoming close. He mostly only talked to me when he came

02:37PM 15 back.

02:37PM 16 Q. Where the -- and when you're talking to him, where are

02:37PM 17 you having these conversations?

02:37PM 18 A. All over the dorm. I had a bunk that was right by a

02:37PM 19 table, right by the kiosk where you get case law from. He

02:37PM 20 could come sit over there and talk to me and I would come to

02:37PM 21 his bunk and sit over there and talk to him. He had a bunk

02:37PM 22 with a table in front of it also as well.

02:37PM 23 Q. So, as -- would you say you're getting closer with

02:37PM 24 Mr. Arrington?

02:37PM 25 A. Yes.

02:37PM 1 Q. How does the nature of the conversation change between  
02:37PM 2 the two of you?

02:37PM 3 A. We just start talking about our past history and life and  
02:38PM 4 things we went through in the streets of Buffalo growing up.

02:38PM 5 Q. What are you telling him?

02:38PM 6 A. Just reminiscing about the money I made selling the drugs  
02:38PM 7 I sold, and the business I work for, and stuff like that;  
02:38PM 8 cars I drove in the past, and he was doing the same.

02:38PM 9 Q. What was he telling you?

02:38PM 10 A. About the drugs he sold, the people he robbed, people he  
02:38PM 11 shot, people he shot and killed.

02:38PM 12 Q. And, specifically, who is he talking about as to --

02:38PM 13 A. Like I said, it happened throughout the time, not just a  
02:38PM 14 one day, but every day. We would talk about things that  
02:38PM 15 happened in the past or things that we dealt with or had  
02:39PM 16 happen in the streets. And he would tell me about the drugs  
02:39PM 17 he sold. He told me about how much drugs he sold, about the  
02:39PM 18 people he robbed, what he did with the money when he robbed  
02:39PM 19 them, people he shot and killed, and why he shot and killed  
02:39PM 20 them.

02:39PM 21 MR. ARRINGTON: Your Honor, objection. I got to  
02:39PM 22 object to this. I have to.

02:39PM 23 THE COURT: Overruled.

02:39PM 24 BY MR. LENIHAN:

02:39PM 25 Q. Did he talk to you at all about Boogy?

02:39PM 1 A. Yes.

02:39PM 2 Q. What did he say about Boogy?

02:39PM 3 A. That he loved him and that was his only real friend.

02:39PM 4 Q. Did he say how he was getting drugs?

02:39PM 5 A. Yes. He said he was -- he said he got them from a couple

02:39PM 6 people, but mainly Boogs.

02:39PM 7 Q. Did he say what kind of drugs he was getting from Boogs?

02:39PM 8 A. Cocaine.

02:39PM 9 Q. Did he tell you what kind of weight?

02:40PM 10 A. Kilos.

02:40PM 11 Q. How about Letorrance Travis; did he talk to you about

02:40PM 12 Letorrance Travis?

02:40PM 13 A. Yeah. He would talk to me about Letorrance Travis. He

02:40PM 14 said that day Letorrance Travis got arrested, he had just

02:40PM 15 gave him 73,000 cash for two kilos.

02:40PM 16 Q. How much was that?

02:40PM 17 A. Seventy three thousand.

02:40PM 18 Q. And what did he say about that 73,000?

02:40PM 19 A. That he had owed Letorrance Travis for two kilos, and he

02:40PM 20 said that if he was -- he wish that Letorrance got caught

02:40PM 21 before he give him the money because he could have kept the

02:40PM 22 money because it belonged to the Mexicans.

02:40PM 23 Q. How about Marcel Worthy? Did he talk to you about Marcel

02:40PM 24 Worthy?

02:40PM 25 A. Yes.



02:40PM 1 Q. What did he say about Marcel Worthy?

02:40PM 2 A. He said he hate him. He don't like him. He don't like

02:40PM 3 nothing about him. They always had -- bumping heads with

02:41PM 4 each other. Marcel was a hater, always hated on him about

02:41PM 5 females or anything that was going on. They just couldn't

02:41PM 6 get along. They just didn't like each other.

02:41PM 7 Q. Did he talk to you about any female they both had dated?

02:41PM 8 A. Yes. Rah Rah said that back in the day, he was dating

02:41PM 9 this female for years and Marcel knew that was his girlfriend

02:41PM 10 and he went anyway and made her his girlfriend.

02:41PM 11 Q. What girlfriend was that?

02:41PM 12 A. I can't remember her name, but she had she got killed at

02:41PM 13 the City Grill massacre shooting back in 2010 I think it was.

02:41PM 14 Q. And did Mr. Arrington discuss any -- did he believe

02:42PM 15 people were cooperating against him?

02:42PM 16 A. Yes.

02:42PM 17 Q. What did he say about that?

02:42PM 18 A. He said that Cheese cooperated against him, and he hate

02:42PM 19 him, and he knew that Cheese will probably do it, and he

02:42PM 20 should have then killed Cheese a long time ago.

02:42PM 21 MR. ARRINGTON: Your Honor, I object to this, Your  
02:42PM 22 Honor.

02:42PM 23 THE COURT: Overruled. You'll be able to cross-  
02:42PM 24 examine him.

02:42PM 25 BY MR. LENIHAN:

02:42PM 1 Q. Did he say when he should have killed Cheese?

02:42PM 2 A. Not a specific time. He said that he was very angry one

02:42PM 3 time because he went to serve somebody come kilos of drugs.

02:42PM 4 And that person, when he got there, that person said, Cheese

02:42PM 5 told me not to buy from you anymore because you cutting the

02:42PM 6 cocaine. And Rah Rah told that person that's not true. I

02:43PM 7 never cut the cocaine. He said, well, that's what Cheese

02:43PM 8 told me.

02:43PM 9 So, he said after he left from serving that person with

02:43PM 10 the kilos of cocaine, he went directly to Cheese. He had

02:43PM 11 another friend in his car from the Schuele gang with him. Rah

02:43PM 12 Rah had another individual in the car with him from the

02:43PM 13 Schuele gang when he went to go approach Cheese. Cheese and

02:43PM 14 Boogs was together. He said they hopped out on Cheese and

02:43PM 15 told Cheese, I keep telling you about having my fucking name

02:43PM 16 in your mouth. Keep my name out your mouth or I'm going to

02:43PM 17 kill you. He said Cheese didn't back down. He told him, I

02:43PM 18 ain't no sucker, and I don't got your name in my mouth. He

02:43PM 19 said that Boogs and the other individual that was their friend

02:43PM 20 parked, got them separated. He said once they separated, he

02:43PM 21 told him again, keep my name out your mouth or I'm going to

02:43PM 22 kill you. He said he got in the car with the other individual

02:44PM 23 and he pulled off.

02:44PM 24 Q. Do you remember the other individual that was there?

02:44PM 25 A. His name was OP.

02:44PM 1 Q. What did Mr. Arrington tell you if he had killed Cheese?

02:44PM 2 A. That nobody in the neighborhood would have respected

02:44PM 3 that.

02:44PM 4 Q. Why?

02:44PM 5 A. Because they all grew up together and they was all so

02:44PM 6 close and he knew that if he would have killed Cheese, that

02:44PM 7 Boog, and OP, and Jimmy, and Torrance, and all of them would

02:44PM 8 have been very upset about it, and they was all a crew that

02:44PM 9 grew up together. They all was childhood friends and that

02:44PM 10 wouldn't be acceptable for him to kill Cheese. He knew that

02:44PM 11 it couldn't be done because they wouldn't allow him to do it.

02:44PM 12 Q. You mentioned a name Jimmy. Who's Jimmy?

02:44PM 13 A. James Robbins.

02:44PM 14 Q. Did Mr. Arrington discuss to you if he reconnected with

02:45PM 15 everyone in 2011?

02:45PM 16 A. If he?

02:45PM 17 Q. Reconnected with, like, Boogs and Cheese in 2011?

02:45PM 18 A. Yes.

02:45PM 19 Q. And what did he say about that?

02:45PM 20 A. He said when he reconnected with them and came back

02:45PM 21 around, that his whole team was on. They was up. That means

02:45PM 22 that -- being on or up means that they had graduated to a

02:45PM 23 level in the drug business to where they was getting multiple

02:45PM 24 amount of drugs, kilos, or they was doing very well for they

02:45PM 25 self.

02:45PM 1 Q. Similar to where you were at one point?

02:45PM 2 A. Yes.

02:45PM 3 Q. And in 2011 you're still dealing drugs?

02:45PM 4 A. No.

02:45PM 5 Q. Okay. What's your understanding as to the Schuele Boys  
02:46PM 6 in 2011?

02:46PM 7 A. They was the very much talk of the town. Like I said,  
02:46PM 8 Letorrance Travis was a real good friend of mines. I went to  
02:46PM 9 school with Aaron Hicks. I really didn't know Cheese. I  
02:46PM 10 seen OP around, Jimmy around. I really didn't know him, I  
02:46PM 11 just heard about him at the time. And they were doing very  
02:46PM 12 well for they self.

02:46PM 13 And when -- it's called an underground culture. The  
02:46PM 14 underground culture is a lot. It's a culture of nothing but  
02:46PM 15 illegal activities to make money; gambling, robbing,  
02:46PM 16 racketeering, stealing, bootlegging, sex selling. It's all  
02:46PM 17 illegal stuff going on in the underground cultures from  
02:46PM 18 what -- where we come from on the East Side of Buffalo and the  
02:46PM 19 West Side of Buffalo. And they had that spot at that time.  
02:46PM 20 They was the suppliers; one of the biggest suppliers of city  
02:47PM 21 at that time in 2011.

02:47PM 22 Q. Did he mention if he ever had a gun on him?

02:47PM 23 A. Rah Rah said he always carried a gun.

02:47PM 24 Q. Who else did he say had a gun?

02:47PM 25 A. He said Cheese always carried a gun and Jimmy.

02:47PM 1 Q. Did he tell you what his role was on this team?

02:47PM 2 A. His role was the -- everybody knew his MO. So, his role  
02:47PM 3 was to protect his friends and protect his team and also help  
02:47PM 4 move the kilos of cocaine that was coming in.

02:47PM 5 Q. Did he tell you who he was primarily protecting?

02:47PM 6 A. Boogs, and he said he protected Letorrance, too, because  
02:47PM 7 people thought Letorrance was soft.

02:47PM 8 Q. Did he say why he was protecting Boogs?

02:47PM 9 A. Because Boogs wasn't that type of guy. He wasn't known  
02:47PM 10 for shooting people and killing people. He was just known  
02:48PM 11 for getting money. And he thought that people would try to  
02:48PM 12 take advantage of him because of that.

02:48PM 13 Q. Did he talk to you about a shooting that happened over on  
02:48PM 14 Stevens?

02:48PM 15 A. Yes.

02:48PM 16 Q. And when did he start talk -- did he confide in you right  
02:48PM 17 away about that?

02:48PM 18 A. No.

02:48PM 19 Q. So, talk to us how that came about.

02:48PM 20 A. As I said, we used to talk a lot. And he started talking  
02:48PM 21 about a couple of my friends that I grew up with named Cutter  
02:48PM 22 and Prick. Real -- Cutter real name is Anthony. Prick real  
02:48PM 23 name is Chris. And they was riding around looking for Rah  
02:48PM 24 Rah because he had killed they friend. And he told me that  
02:48PM 25 he was trying to get them before they got him. They was

02:48PM 1 going around saying they was looking for him for retaliation  
02:48PM 2 on their friend named Josh a/k/a Big Dog.

02:49PM 3 Josh was another big-time drug dealer in Buffalo, but he  
02:49PM 4 got murdered. And they thought Rah Rah had something to do  
02:49PM 5 with it. So, he was looking for Cutter and Prick, he said,  
02:49PM 6 because he didn't like the way they was going around screaming  
02:49PM 7 his name for him killing Josh. And I asked him, did he kill  
02:49PM 8 Josh? He said, no. I had Jimmy do it. He said, I wasn't the  
02:49PM 9 one that pulled the trigger. He said it was easy money.

02:49PM 10 Q. Did Rah Rah talk to you about if he collected any money  
02:49PM 11 on that?

02:49PM 12 A. Yes.

02:49PM 13 Q. Did he tell you how much?

02:49PM 14 A. No.

02:49PM 15 Q. Did he say who he collected money from?

02:49PM 16 A. Yes.

02:49PM 17 Q. And he said what was easy money?

02:49PM 18 A. The murder of Josh.

02:49PM 19 Q. Do you know Josh's real name?

02:50PM 20 A. That is his -- I think it's Joshua.

02:50PM 21 Q. Do you know his last name?

02:50PM 22 A. No.

02:50PM 23 MR. ARRINGTON: Your Honor, I got to object, Your  
02:50PM 24 Honor. I don't understand the relevance. Like, this don't  
02:50PM 25 make any sense right here. I don't understand this. This

02:50PM 1 don't have anything to do with the case. This -- he just  
02:50PM 2 saying anything the government want him to say, Your Honor.  
02:50PM 3 It's unacceptable, Your Honor. I don't know this man, Your  
02:50PM 4 Honor.

02:50PM 5 THE COURT: Overruled. You may continue,  
02:50PM 6 Mr. Lenihan.

02:50PM 7 BY MR. LENIHAN:

02:50PM 8 Q. Now, did you know if Josh was dealing drugs?

02:50PM 9 A. Yes.

02:50PM 10 Q. What's your knowledge as to where Josh grow up?

02:50PM 11 A. Delevan and Humber.

02:50PM 12 Q. And Humber is right over by Schuele?

02:50PM 13 A. Schuele. Yes.

02:50PM 14 Q. Did Rah Rah talk to you about if he was ever dealing  
02:51PM 15 drugs with Josh?

02:51PM 16 A. He said he, at times when he couldn't get drugs from his  
02:51PM 17 connections that he get drugs from, his supplier, that he  
02:51PM 18 would ask Josh if he has any drugs and Josh would tell him  
02:51PM 19 no. Josh was scared to deal with him because of his MO for  
02:51PM 20 being a stick-up kid.

02:51PM 21 Q. What -- and he talked to you about other shootings?

02:51PM 22 A. Yes. I had -- I was curious because of the shooting that  
02:51PM 23 he was arrested for was just so raw and out there. So, I  
02:51PM 24 asked him, why didn't you do Quincy the same way you did  
02:51PM 25 Josh? And he said, because that had to be done.

02:51PM 1 THE DEFENDANT: Your Honor, I object. He's  
02:51PM 2 inflaming the jury's mind with these stories, Your Honor. I  
02:51PM 3 don't understand it. What's relevance? It's all hearsay. I  
02:52PM 4 don't know what he -- where this stuff coming from, Your  
02:52PM 5 Honor. This don't have anything to do with the case. He  
02:52PM 6 just --

02:52PM 7 THE COURT: Overruled. You may continue,  
02:52PM 8 Mr. Lenihan.

02:52PM 9 BY MR. LENIHAN:

02:52PM 10 Q. And so, to your knowledge, has anyone been charged with  
02:52PM 11 the murder of Josh?

02:52PM 12 A. No. Nobody's been charged.

02:52PM 13 Q. And where was -- to your knowledge, at what time of day  
02:52PM 14 did that take place?

02:52PM 15 A. It happened at night.

02:52PM 16 Q. So, what did he tell you about the murder of Quincy?

02:52PM 17 A. Like I said, we was talking about the murder of Josh.

02:52PM 18 And I asked him because it -- the way Josh was murdered,  
02:52PM 19 there was no witnesses around. It was secretive. It was  
02:52PM 20 sneaky. The part -- Josh didn't see it coming and nobody had  
02:52PM 21 any -- there was no witnesses.

02:52PM 22 MR. ARRINGTON: Your Honor, objection. Relevance.

02:53PM 23 THE COURT: Overruled.

02:53PM 24 THE WITNESS: So, I asked him why didn't you kill  
02:53PM 25 Quincy like that -- Quincy Balance like that? And he said, at



02:53PM 1 that time, all the things that was going on, all the issues  
02:53PM 2 they was having about Quincy killing Matt, Matt is a friend of  
02:53PM 3 theirs, mainly a friend of Boogs, and it was very fresh, he  
02:53PM 4 said. And it was a messed up thing for -- the way they killed  
02:53PM 5 Matt.

02:53PM 6 So, he said it had to be done. Boogs wanted it done, and  
02:53PM 7 they was still hurt and upset about it. So, the way Quincy  
02:53PM 8 got killed, he wasn't even thinking or in the proper mind  
02:53PM 9 frame, state of mind, to even think that far to kill him how  
02:54PM 10 he killed -- how him and Jimmy killed Josh.

02:54PM 11 Q. And what's the difference between the two?

02:54PM 12 A. The difference between the two is, it's feelings involved  
02:54PM 13 with the murder of Quincy. The Josh murder was a hit. He  
02:54PM 14 was -- they was paid to do it. The Quincy murder is -- it's  
02:54PM 15 showing a sign of -- it's a sign of disrespect when somebody  
02:54PM 16 get killed from your crew or somebody that's close to you,  
02:54PM 17 and something have to happen. And if nothing happens, people  
02:54PM 18 will think that you're weak and can't handle yourself.

02:54PM 19 And Matt was a good friend of theirs. And he was a good  
02:54PM 20 person, from what I hear. He sold his little drugs, but he  
02:54PM 21 went to work. He wasn't in the streets committing violence  
02:54PM 22 and causing problems. And Boogs was very close with him. And  
02:54PM 23 it really got to Boogs real bad. That's what Rah Rah was  
02:55PM 24 telling me. So, Quincy and Damon, they was trying to meet up  
02:55PM 25 with him and explain to them that they didn't do it --

02:55PM 1 THE DEFENDANT: Your Honor, I object. 403 rules of  
02:55PM 2 evidence, Your Honor. This is highly prejudicial, don't have  
02:55PM 3 anything to do with the case. It's -- the relevance -- it  
02:55PM 4 don't have anything to do with the indictment. This just.

02:55PM 5 THE COURT: I understand your objection. It's noted  
02:55PM 6 for the record. You may continue, Mr. Lenihan. Ask him  
02:55PM 7 another question.

02:55PM 8 BY MR. LENIHAN:

02:55PM 9 Q. So, with -- did Rah Rah tell you when he did it?

02:55PM 10 A. What you mean by that?

02:55PM 11 Q. Like time of day?

02:55PM 12 A. No. He didn't tell me the time of day that he did it.

02:56PM 13 He just told me how he did it.

02:56PM 14 Q. And what did he say as to how he did it?

02:56PM 15 A. He said that Quincy and Damon was trying to meet up with  
02:56PM 16 Boogs to talk to Boogs to clear they name, that they didn't  
02:56PM 17 have anything to do with the murder of Matt. Boogs was so  
02:56PM 18 upset, him and Boogs was talking. He told Boogs, set up the  
02:56PM 19 meeting, talk to him. I'm going to come. Just call me. I'm  
02:56PM 20 going to come, and I'm going to murder him.

02:56PM 21 Q. And what -- and did he say he showed up?

02:56PM 22 A. Yes.

02:56PM 23 Q. How did he say he found out about?

02:56PM 24 A. He said Boogs gave him a call when the meeting was set  
02:56PM 25 up. He said he pulled up in his van. He had hopped in the

02:56PM 1 van with him. He said he parked a little down the street and  
02:56PM 2 he walked up from where he parked, walked out on Quincy,  
02:56PM 3 murdered Quincy, and shot at -- tried to shot and kill Damon,  
02:57PM 4 but he don't shoot -- he didn't shoot or hit Damon. So, he  
02:57PM 5 ran back to the van and he pulled off.

02:57PM 6 Q. Did he express any regret?

02:57PM 7 A. Yes.

02:57PM 8 Q. What were those?

02:57PM 9 A. Because, like I said, when we was talking, and I asked  
02:57PM 10 him, why didn't he kill Quincy and Damon the way he killed  
02:57PM 11 Josh, he said that he regretted --

02:57PM 12 MR. ARRINGTON: Your Honor, I object up under  
02:57PM 13 404(b)(1).

02:57PM 14 THE COURT: Your objection is noted, Mr. Arrington.  
02:57PM 15 You may continue, Mr. Lenihan.

02:57PM 16 BY MR. LENIHAN:

02:57PM 17 Q. What did he tell you?

02:57PM 18 A. He said now, at hindsight, he regret the way he handled  
02:57PM 19 things. He said he should have been thinking better, but it  
02:57PM 20 was so fresh. Matt was only killed, I think he said, a week  
02:57PM 21 prior or a couple weeks prior, something like that. It was  
02:58PM 22 still so fresh. Plus, he said he never really had a state of  
02:58PM 23 mind anyway because he partied too much and he gambled too  
02:58PM 24 much. He said he stayed up some days two or three days  
02:58PM 25 straight sniffing cocaine, popping pills, and drinking

02:58PM 1 alcohol.

02:58PM 2 Q. Did he say anything about witnesses around?

02:58PM 3 A. Yes. He said there was a lot of witnesses around.

02:58PM 4 Q. What did he say about that?

02:58PM 5 A. He just said that the credibility from this 3500 material

02:58PM 6 from their conflicted stories, that he didn't think that they

02:58PM 7 was credible enough.

02:58PM 8 Q. You mentioned that -- did he say what he did with the

02:58PM 9 gun?

02:58PM 10 A. No. He never told me what he did with the gun.

02:59PM 11 Q. And he said -- did he say where Boogs was during this?

02:59PM 12 A. Boogs was there when he pulled up. He got out his van

02:59PM 13 and walked out and killed and shot Quincy.

02:59PM 14 Q. How about Cheese?

02:59PM 15 A. Cheese was there. Jimmy was there. I think Wop

02:59PM 16 (phonetic) was in the van with him.

02:59PM 17 Q. You mentioned something. You said 3500 material?

02:59PM 18 A. Yes.

02:59PM 19 Q. Can you tell the jury what 3500 material is?

02:59PM 20 A. It's material --

02:59PM 21 MR. ARRINGTON: Objection, Your Honor.

02:59PM 22 THE COURT: Sustained.

02:59PM 23 BY MR. LENIHAN:

02:59PM 24 Q. Do you know if Mr. Arrington had access to discovery?

02:59PM 25 A. Yes.

02:59PM 1 Q. And was it in paper form or electronic form to your  
02:59PM 2 knowledge?

02:59PM 3 A. Paper form.

02:59PM 4 Q. And did he also have electronic discovery?

03:00PM 5 A. Yeah. It was later on down the line.

03:00PM 6 Q. Do you know if he was -- was he talking to you about the  
03:00PM 7 discovery?

03:00PM 8 A. Yes.

03:00PM 9 Q. Do you know if he was allowed to do that?

03:00PM 10 A. Yes. He was not allowed to do that.

03:00PM 11 MR. ARRINGTON: Objection, Your Honor.

03:00PM 12 THE COURT: Sustained.

03:00PM 13 BY MR. LENIHAN:

03:00PM 14 Q. So, you have cooperated with the federal government  
03:00PM 15 before?

03:00PM 16 A. Yes.

03:00PM 17 Q. And Mr. Arrington was confiding in you?

03:00PM 18 A. Yes.

03:00PM 19 Q. Why was he confiding in you?

03:00PM 20 A. Because he --

03:00PM 21 MR. ARRINGTON: Objection, Your Honor.

03:00PM 22 THE COURT: Ladies and gentlemen, would you step in  
03:00PM 23 the jury room for a minute?

03:00PM 24 (The jury left the room at 3:01 p.m.)

25 (Proceedings concluded at 3:58 p.m.)

\* \* \* \* \*

I certify that the foregoing is a  
correct transcription of the proceedings  
recorded by me in this matter.

s/ Megan E. Pelka, RPR

Official Court Reporter